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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/771,833	02/03/2004	Michael V. Milburn	039363-1106

30542
FOLEY & LARDNER
P.O. BOX 80278
SAN DIEGO, CA 92138-0278

CONFIRMATION NO. 9734

FORMALITIES LETTER



OC000000012703245

Date Mailed: 05/19/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

10/27/2004 HALI11 00000044 500872 10771833

FILED UNDER 37 CFR 1.53(b)

01 FC:2001	395.00 DA
02 FC:2051	65.00 DA
03 FC:2202	45.00 DA
04 FC:2201	44.00 DA

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$88 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$538** for a Small Entity

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$88**
 - \$43 for 1 independent claims over 3.
 - \$45 for 5 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

N. Mohammed
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



Atty. Dkt. No. 039363-1106

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Plexxikon, Inc.

Title: PDE5A CRYSTAL STRUCTURE AND USES

Appl. No.: 10/771,833

Filing Date: 2/3/2004

Examiner: Unknown

Art Unit: 1645

CERTIFICATE OF MAILING I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below. <u>Line Gauthier</u> (Printed Name) <u><i>Line Gauthier</i></u> (Signature) <u>October 19, 2004</u> (Date of Deposit)

**TRANSMITTAL OF MISSING PARTS
OF PATENT APPLICATION**

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application mailed May 19, 2004, in the above-identified application, transmitted herewith are the missing parts to complete the filing of the subject patent application.

Enclosed are:

- ☒ Declaration and Power of Attorney (7 pages)
- ☒ Return Copy of Notice to File Missing Parts (2 pages)
- ☒ Amendment In Response to Notice under 37 CFR §§1.821-825 (4 pages)
- ☒ Statement in Support of Filing Sequence Listing (1 page)
- ☒ Sequence Listing in Paper Form (38 pages) and One (1) Diskette
- ☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:
 - ☒ Extension for response filed within the second month

10/27/2004 HALI11 00000044 500872 10771833

05 FC:2252 215.00 DA

The filing fee is calculated below:

	Claims as Filed	Included in Basic Fee	Extra Claims	Rate	Fee Totals
Basic Fee				\$790.00	\$790.00
Total	25	- 20	= 5	x \$18.00	= \$90.00
Claims:					
Independ	4	- 3	= 1	x \$88.00	= \$88.00
ents:					
If any Multiple Dependent Claim(s) present:				+ \$300.00	= \$0.00
Surcharge under 37 CFR 1.16(e) for late filing of				+ \$130.00	= \$130.00
Executed Declaration and late payment of filing fee					
[X] Extension fee for response filed within				+ \$430.00	= \$ 430.00
the second month:					
				SUBTOTAL:	= \$1,528.00
[X] Small Entity Fees Apply (subtract ½ of above):					= \$764.00
				TOTAL FILING FEE:	= \$764.00
				TOTAL FEE	= \$764.00
Difference to pay:				- \$0.00	- \$764.00

[X] Please charge Deposit Account No. 50-0872 in the amount of \$764.00 in payment of surcharge fee (37 C.F.R. § 1.16(e))


The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Respectfully submitted,

Date October 19, 2004

FOLEY & LARDNER LLP
Customer Number: 30542
Telephone: (415) 438-6454
Facsimile: (415) 434-4507

By


David P. Lentini
Attorney for Applicant
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